

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

BOARD OF TRUSTEES SHEET METAL
WORKERS' NATIONAL PENSION FUND,
et al.,

Plaintiffs,

v.

NEW YORK CHUTES, LLC

Defendant.

Case No. 1:22-cv-1294-PTG-WEF

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure and given that Defendant New York Chutes, LLC has served neither an answer nor a motion for summary judgment, Plaintiffs Board of Trustees of the Sheet Metal Workers' National Pension Fund, *et al.* hereby dismiss the claims made in the above-captioned action against Defendant without prejudice.

WHEREFORE, Plaintiffs respectfully request that the Clerk of the Court enter the Voluntary Dismissal without prejudice.

Respectfully submitted,

/s/ Diana M. Bardes

Diana M. Bardes (VA Bar No. 81831)
Mooney, Green, Saindon, Murphy & Welch, P.C.
1920 L Street, NW, Suite 400
Washington, D.C. 20036
(202) 783-0010
(202) 783-6088 Facsimile
dbardes@mooneygreen.com
Counsel for Plaintiff

Dated: March 14, 2024

SO ORDERED
March 14, 2024



Patricia Tolliver Giles
United States District Judge